

Decision 12-06-031 June 21, 2012

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application by Sacramento Natural Gas Storage, LLC for a Certificate of Public Convenience and Necessity for Construction and Operation of Natural Gas Storage Facilities and Requests for Related Determinations.

Application 07-04-013
(Filed April 9, 2007)

ORDER EXTENDING STATUTORY DEADLINE

1. Summary

Pub. Util. Code § 1701.5(a)¹ provides that ratesetting cases must be resolved within 18 months of the date the Scoping Memo is issued unless the Commission makes findings why that deadline cannot be met and issues an order extending that deadline. In this proceeding, the 18-month deadline for resolving this matter was April 25, 2012.²

Pursuant to § 311(d), a proposed decision (PD) of the Administrative Law Judge and the alternate proposed decision (APD) of Commissioner Simon were filed with the Commission and served upon all parties to the proceeding on March 9, 2012. On April 19, 2012, the Commission issued Decision (D.) 12-04-034 extending the deadline for resolving this matter until June 24, 2012.

¹ All statutory references are to the Public Utilities Code unless otherwise indicated.

² The Third Amended Scoping Memo in this proceeding was issued on October 25, 2010.

On May 4, 2012, Commissioner Florio filed an APD with the Commission and served it upon all parties to the proceeding. Pursuant to § 311(g), the Commission may not consider Commissioner Florio's APD prior to June 4, 2012.

It is possible that the Commission may resolve this proceeding by the June 24, 2012 deadline established by D.12-04-034. Nevertheless, this decision extending the statutory deadline for this proceeding is issued to ensure the Commission has an opportunity to fully consider the PD, Commissioners Florio and Simon's APDs, and other alternate decisions, if the Commission chooses to do so.

2. Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of proposed decisions extending the deadline for resolving ratesetting proceedings. Accordingly, the otherwise applicable period for public review and comment on an extension order issued pursuant to § 1701.5(a) is being waived.

3. Assignment of Proceeding

Timothy Alan Simon is the assigned Commissioner and Richard Smith is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. The Third Amended Scoping Memo in this proceeding was issued on October 25, 2010.
2. The normal 18-month statutory deadline for resolving this ratesetting proceeding is April 25, 2012.
3. On April 19, 2012, the Commission issued D.12-04-034 extending the deadline for resolving this matter until June 24, 2012.

4. An additional 60-day extension for resolving this proceeding is required to ensure the Commission has an opportunity to fully consider the PD, Commissioners Florio and Simon's APDs, and other alternate decisions, if the Commission chooses to do so.

Conclusion of Law

Effective immediately, the 18-month statutory deadline imposed by § 1701.5(a) should be extended for an additional period of 60 days beyond June 24, 2012.

IT IS ORDERED that:

1. The 18-month statutory deadline in this proceeding, June 24, 2012, is extended until August 23, 2012.
2. Application 07-04-013 remains open.

This order is effective today.

Dated June 21, 2012, at San Francisco, California.

MICHAEL R. PEEVEY
President
TIMOTHY ALAN SIMON
MICHEL PETER FLORIO
CATHERINE J.K. SANDOVAL
MARK J. FERRON
Commissioners